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CrI.OP.No.3359 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3359 of 2025

R. Muniyan
S/o. Mr.Radha @ Radhakrishnan No.
98/2.Middle St, Annandal Village, Vasudevn pattu
post, Chengam taluk, Tiruvannamalai, district.

Petitioner(s)

Vs

The State Rep.By, Its, The Sub Inspector Of
Police,
Tiruvannamalai Taluk Police Station,
Tiruvannamalai District. Cr.No.23 of 2025.

Respondent(s)

For Petitioner(s):

P Jayachandran

For Respondent : Mr.S.Balaji,
Government Advocate (CrI.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(d), 4(1)(j), 4(1)(C), 4(1)(A) of the Tamil Nadu Prohibition (Amendment) Act, 2024, in Crime No.23 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that based on the secret information



regarding prohibition offences, the respondent police conducted a search at Japtikariyanthal Village, wherein they found that the petitioner along with other accused were in illegal possession of toddy (kallu). Hence the complaint.

3. The learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. He further submits that the entire contraband was seized from A1, and since the custodial interrogation is not necessary; and that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instructions, submitted that the contraband was seized from the possession of A1 and he is still in custody.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.



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6. Considering the nature of allegation; contraband seized from the possession of A1, and that custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of copy of this order, before the learned Judicial Magistrate No.II, Tiruvannamalai on condition that the petitioner shall execute a bond for sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent Police,



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everyday at 10.30 a.m., until further orders;

- [c] the petitioner shall not abscond either during investigation or trial;
- [d] the petitioner shall not tamper with evidence or witness either during investigation or trial;
- [e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala*** reported in [(2005)AIR SCW 5560];



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

12.02.2025

drl

To

1. The Sub Inspector Of Police,
Tiruvannamalai Taluk Police Station,
Tiruvannamalai District.
2. The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN, J.

drl

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